

**United States Bankruptcy Court
Western District of Oklahoma**

In re **Kevin K Kirkwood
Pamela L Kirkwood**

Debtor(s)

Case No. **13-15013**
Chapter **13**

**MOTION TO MODIFY CHAPTER 13 PLAN TO INCLUDE MORTGAGE AND
NOTICE OF OPPORTUNITY TO BE HEARD**

Come Now, Kevin K Kirkwood Pamela L Kirkwood, and move the court for an order modifying their Chapter 13 Plan to include their monthly mortgage payments of \$1130.63, starting with their March, 2015 mortgage payment and through the remainder of their Chapter 13 plan payment period, as well as the inclusion of their mortgage payment and escrow arrears for the months of November, 2014 through February, 2015 [4 months], which is a total of \$4496.60., to be paid pro-rata through the remaining months of their Chapter 13 plan.

BRIEF IN SUPPORT

1. Debtors bring this motion under authority of **11 USC § 1329**, which states, in pertinent part:

**" a) At any time after confirmation of the plan but before the completion of payments under such plan, the plan may be modified, upon request of the debtor, the trustee, or the holder of an allowed unsecured claim, to—
(1) increase or reduce the amount of payments on claims of a particular class provided for by the plan;... "**

Therefore, The Debtors respectfully request an order modifying their plan to include payment of their Monthly Mortgage payment starting in March, 2015, including their mortgage arrears of 4 months, for attorney fees for this motion, and for whatever further relief the court deems appropriate.

Respectfully submitted this 27th day of January, 2015

Date **January 27, 2015**

Signature **/s/ Kevin K Kirkwood**
Kevin K Kirkwood
Debtor

Date **January 27, 2015**

Signature **/s/ Pamela L Kirkwood**
Pamela L Kirkwood
Joint Debtor

Attorney **/s/ Alexander Hilton**
Alexander Hilton 147289CA
6440 Avondale Drive, Suite 201
Oklahoma City, OK 73116
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Attorney For Debtor

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 28 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice. The 28 day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).

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CERTIFICATE OF SERVICE

I, Alexander Hilton, hereby certify that on January 27, 2015 , a true and correct copy of Motion to Modify Plan and Notice of Opportunity for Hearing was served electronically by CM/ECF upon the following interested parties:

U.S. Trustee: Ustpreregion20.oc.ecf@usdoj.gov

John T. Hardeman:13trustee@chp13okc.com, trustee@chp13okc.com

I, Alexander Hilton, further certify that on January 27, 2015 , a true and correct copy of Motion to Modify Plan and Notice of Opportunity for Hearing was served by regular United States mail, First Class, Postage Pre-Paid to the following list interested parties and all creditors listed on the attached creditor list:

Account Management Resources
P.O.B. 60607
Oklahoma City OK 73146

Ally Financial
P.O.B. 380901
Minneapolis MN 55438

Bank of America Mortgage
P.O.B. 650070
Dallas TX 75265

Citibank
P.O.B. 15687
Wilmington DE 19850

Discover
P.O.B. 15316
Wilmington DE 19850

GECRB
P.O.B. 981400
El Paso TX 79998

Integrus Canadian Valley Regional
P.O.B. 268871
Oklahoma City OK 73126

Integrus Practice
P.O.B. 960234
Oklahoma City OK 73196

Lowes/GEGRB
P.O.B. 530914
Atlanta GA 30353

MECU
3561 West Memorial Rd.
Oklahoma City OK 73134

Nelnet
P.O.B. 1649
Denver CO 80201

Radiology Associates
3330 N.W. 56th Street Ste 206
Oklahoma City OK 73112

T-Mobile
P.O.B. 37380
Albuquerque NM 87176

Works & Lentz
3030 N.W. Expressway
Ste. 1300
Oklahoma City OK 73112-5436

/s/ Alexander Hilton

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